

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

BRANDON FURA

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Defendant(s)

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Case No. 5:25-MJ-13 (ML)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of November 15, 2024, in the county of Onondaga in the Northern District of New York the defendant(s) violated:

Code Section

Title 18, U.S.C., Section 924(c) and
Title 21, U.S.C., Sections 841(a)(1)
and (b)(1)(C).

Offense Description

Possession of a Firearm in Furtherance of a Drug Trafficking Offense and Possession with the Intent to Distribute Controlled Substances.

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

**THOMAS
WIHERA**

Digitally signed by THOMAS
WIHERA
Date: 2025.01.21 14:15:03
-05'00'

Complainant's signature

Thomas Wihera, ATF Special Agent

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: January 21, 2025

Miroslav Lovric

Judge's signature

City and State: Binghamton, NY

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, Thomas Wihera, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of a criminal complaint charging Brandon FURA with violating Title 18, United States Code, Section 924(c) (possession of a firearm in furtherance of a drug trafficking offense) and Title 21 United States Code, Sections 841(a)(1) and (b)(1)(C) (possession with the intent to distribute controlled substances).

2. I am the applicant herein and I am currently assigned to the Syracuse Field Office as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”). I have been employed by ATF since June 2021. To become an ATF Special Agent, I attended and completed the Criminal Investigator Training Program and the ATF Special Agent Basic Training program at the Federal Law Enforcement Training Center in Glynco, Georgia. During those programs, I received training in and was tested on my knowledge of: law and criminal procedure relevant to the enforcement of violations of Title 18 and Title 21 of the United States Code; electronic and physical surveillance; controlled purchases of evidence; using confidential informants; interviewing suspects and other sources of information; field testing illegal drugs; executing search and arrest warrants; processing evidence; and many other techniques used for the successful investigation and prosecution of criminal violations. As a result of my training and experience, I am familiar with the language, conduct, and customs of people engaged in selling drugs.

3. I based this affidavit on my personal knowledge from my participation in this investigation, conclusions based on my training and experience, and on information I have learned from other investigators.

4. Based on the facts as set forth in this affidavit, there is probable cause to believe Brandon FURA has violated Title 18, United States Code, Section 924(c) (possession of a firearm in furtherance of a drug offense), and Title 21 United States Code, Sections 841(a)(1) and (b)(1)(C) (possession with the intent to distribute controlled substances).

5. On November 15, 2024, officers with the Dewitt Police Department (“Dewitt PD”) were searching for a vehicle with New York registration LLD2826, which was involved in a hit-and-run accident. Officers ultimately located the vehicle at a gas station on Erie Boulevard in Syracuse, New York.

6. Dewitt PD officers approached the vehicle and observed the front seat passenger (hereafter, “the Passenger”) attempting to conceal aluminum foil with burnt residue, which, based on the officer’s training and experience, appeared to be consistent with heroin use. Based on their observations, officers removed the Passenger and the driver, later identified as Brandon FURA, from the vehicle.

7. During a subsequent search of the vehicle, officers recovered nearly 200 glassine envelopes containing a brown/tan powdery substance believed to be heroin, a scale with residue, and a loaded .40 caliber handgun. Officers also located an Apple iPhone on the driver’s side floor, where FURA was seated.

8. Law enforcement later field tested the brown/tan powdery substance in the glassine envelopes, which produced a positive indication for the presence of heroin.

9. After being advised of his *Miranda* Rights, FURA admitted possession of all contraband in the vehicle. He identified the glassine envelopes as containing “speedball” (a

common term for a mixture of heroin and cocaine), he admitted that he regularly buys large quantities of drugs, and said that he found the firearm nearly a year before. FURA confirmed that he carries the firearm for protection, especially while purchasing narcotics.

10. Agents obtained a federal warrant to search the black iPhone 11 recovered by Dewitt PD during the arrest. During the subsequent warrant execution, law enforcement observed messages consistent with narcotics trafficking, including a series of messages from November 15-17, 2024, which indicated that the Fura collected money from several other individuals in anticipation of obtaining drugs.

11. I request the court authorize the filing of a criminal complaint alleging that Brandon FURA has violated Title 18, United States Code, Section 924(c) (possession of a firearm in furtherance of a drug trafficking offense), and Title 21 United States Code, Sections 841(a)(1) and (b)(1)(C) (possession with the intent to distribute controlled substances), and issue an arrest warrant so he may be brought to court for further proceedings in accordance with law.

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH THE REQUIREMENTS OF RULE 4.1 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE.

THOMAS
WIHERA

Thomas Wihera
Special Agent, ATF


Digitally signed by THOMAS
WIHERA
Date: 2025.01.21 14:16:25
-05'00'

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on January 21, 2025, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Miroslav Lovric
U.S. Magistrate Judge